

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
EASTERN DIVISION

FILED IN OPEN COURT

ON 10/16/2013 M  
Julie A. Richards, Clerk  
US District Court  
Eastern District of NC

CASE NO.

UNITED STATES OF AMERICA )

v. )

Timothy Ray Marns )

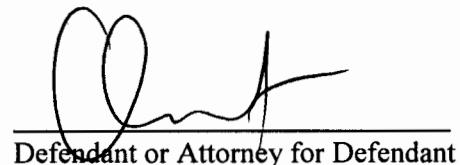
DEFENDANT'S  
MOTION TO CONTINUE  
(18 USC § 3161(h)(8))

4:13-m-1045

Pursuant to 18 USC § 3161(h)(7) and to Local Rule 4.11, the Defendant respectfully requests that the above-captioned case be continued from the present docket. In support of this motion, the Defendant sets forth the following:

1. Defendant requests time to review discovery and meet with attorney
2. This is the 1st continuance filed by the Defendant in the present case. The Special Assistant United States Attorney does not object to this motion.
3. I understand that if this motion is granted, I must next appear in court at 9:00 a.m. on the \_\_\_\_\_ Court docket, and that failure to appear may result in the issuance of an arrest warrant.

Submitted on: 10/16/2013



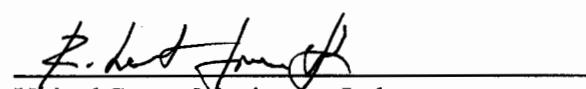
\_\_\_\_\_  
Defendant or Attorney for Defendant

The Court finds that the ends of justice served by the granting of such a continuance outweigh the best interest of the public in a speedy trial for the following reasons:

- Failure to do would likely result in a **miscarriage of justice**.
- The **usual nature or complexity of the case** makes it unreasonable to expect the Defendant to adequately prepare for pretrial proceedings or trial with the time limits set forth in 18 USC 3161.
- Failure to do so would deny the Defendant reasonable **time to obtain counsel**;
- Failure to do so would unreasonably deny the Defendant **continuity of counsel**;
- Failure to do so would deny the Defendant the reasonable **time necessary for effective preparation**, taking into account the exercise of due diligence.

Accordingly the continuance is ALLOWED. The intervening time from 10/16/13 to 12/1/13 is excluded from speedy trial computation under 18 USC 3161.

10/16/2013  
Date



\_\_\_\_\_  
United States Magistrate Judge